

REMARKS

By the foregoing Amendment, Claims 1 and 6 have been amended. Favorable reconsideration of the application is respectfully requested.

Claims 1-10 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Sekhon in view of Lewis et al. and Wasel-Nielen et al., as evidenced by Yap and Hawley's Condensed Chemical Dictionary (13th Edition, p. 379). Claim 1 has been amended to recite "approximately 8% by weight of the total weight of the composition of a salt of inorganic constituents formed from cations of calcium, and anions selected from the group consisting of carbonates and oxides." Claim 6 similarly recites "approximately 4% by weight of the total weight of the composition of a salt of inorganic constituents formed from cations of calcium, and anions selected from the group consisting of carbonates and oxides."

Lewis et al was cited as disclosing a preferred embodiment in which a combination of ingredients includes "a salt with a cation and a phosphosilicate anion...and the salt containing calcium and phosphosilicate is present in an amount of up to 25 vol%." At column 3, lines 26-33, in the broad statement of the summary of the invention, Lewis et al. discloses "The composition comprises at least one inhibitor selected from the group consisting of phosphates, phosphosilicates, silicates, and mixtures thereof, at least one inhibitor selected from the group consisting of titanates, zinc salts, and mixtures thereof, and a carrier for these inhibitors, the carrier being capable of placing the inhibitors in proximity with the metal surface." Lewis et al.

discloses calcium phosphosilicates, but does not teach, disclose or suggest a composition with a calcium carbonate salt, or a calcium oxide salt, as is claimed. The Examiner has not suggested any modification of the teaching of Lewis et al., or that it would be obvious from Lewis et al. to substitute calcium carbonate for calcium phosphosilicate, or to substitute calcium oxide for calcium phosphosilicate. Lewis et al. does not contain such a broad teaching. It is therefore respectfully submitted that Claims 1-10 are novel and inventive over Sekhon, Lewis et al., Wasel-Nielen et al., Yap and Hawley's Condensed Chemical Dictionary (13th Edition, p. 379), either taken individually or in combination, and that the rejection of Claims 1-10 on the grounds of obviousness from Sekhon in view of Lewis et al. and Wasel-Nielen et al., as evidenced by Yap and Hawley's Condensed Chemical Dictionary (13th Edition, p. 379) should be withdrawn.

The Examiner indicated that Applicant's arguments with respect to Claims 1-10 were moot in view of new grounds of rejection; however no new grounds of rejection were given.

In light of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

FULWIDER PATTON LLP

By: 

James W. Paul
Reg. No. 29,967

JWP/rvw

Encls.: Return Postcard

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201